

OCT 31 1985

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Mr. Stewart Braznell, President
Mass Merchandisers, Inc.
P. O. Box 790
Harrison, Arkansas 72601

RE: Arkwood, Incorporated
Omaha, Arkansas

Dear Mr. Braznell:

The United States Environmental Protection Agency (EPA) has a statutory mandate to protect public health and the environment from the adverse effects of hazardous wastes and substances. Pursuant to Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6927, and Section 104(e)(1) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. 9604(e)(1), any person who generates, stores, treats, transports or otherwise handles or has handled hazardous wastes or hazardous substances shall, upon request of any officer or employee of EPA, furnish information relating to such wastes. The term "hazardous wastes" is defined in Section 1004(5) of RCRA, 42 U.S.C. 6905(5) and includes those substances listed at 40 CFR Part 261. The term "hazardous substances" is defined in Section 101(14) of CERCLA, 42 U.S.C. 9601.

This office has been investigating possible sources of hazardous substances disposed of at the Arkwood, Inc., wood treating plant which is located in Omaha, Arkansas. Information received in the course of this investigation indicates that your company leased and operated the facility from 1973 to 1984. Accordingly, you are hereby requested to provide information and answers to the following questions:

1. What is the generic name and chemical character of the hazardous wastes and/or hazardous substances, as defined under Section 1004(5) of RCRA and Section 101(14) of CERCLA, that you generate, store, transport, dispose of, or otherwise handle or have handled at the Arkwood, Inc., site?

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2. For each hazardous waste and/or hazardous substance identified above, please give the total volume, in gallons for liquids and in cubic meters for solids, for which you generate, store, transport, dispose of, or otherwise handle or have handled and list when this activity occurred.
3. If hazardous wastes and/or hazardous substances were removed from the site, who was the transporter of these wastes and/or substances, what was their previous address, and what is their current address? Where were these hazardous wastes and/or hazardous substances disposed of?
4. Please provide any other information, correspondence, etc., retained by your company regarding the Arkwood site.
5. Please state the nature of your business, the types of materials received, processed, handled, stored, treated, or disposed of as a result of your business operations at this facility. Over what period of time have you operated the facility at this location?
6. Does your company have any information or data related to the soils, geology, groundwater, or hydrology for the facility or for the immediately surrounding area? Have you or your company conducted or contracted for any hydrogeologic investigation related to groundwater contamination at or near the facility? If so, please provide copies of all data, information or reports of this nature.
7. Are there any plans for your company or consultant to perform any soil or hydrologic work at or near your facility in the near future?
8. Please provide drawing(s) of your facility of sufficient scale and clarity to show:
 - a. Property boundaries, including a written legal description;
 - b. surface facilities and structures;
 - c. groundwater wells, including drilling logs, if available; and
 - d. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s) and subsurface disposal field(s), if applicable;
9. For all above and below ground storage tanks, sumps, impoundments and pits, state:
 - Date installed;
 - past usage (i.e., chemical storage, fuel storage, spill containment, etc.);

- volume and size;
 - materials of construction;
 - present conditions (date(s) of cleaning, conditions(s) at the time of cleaning); and
 - if previously removed, the date removed and condition.
10. Provide any information of prior owners of the property including names, addresses, dates of ownership and deeds.
11. Provide a copy of any insurance agreements that pertain to any of your company's hazardous waste materials or substances that were sent to the facility. If a copy of the agreement is not available, identify the name and address of the insurer and provide a written description of the nature and extent of coverage, along with the policy number and date of issuance and the name of the insured party.

In responding to the above questions, please list the types of documents that are maintained, the date of the documents, the author of the documents, the current location of the documents, and their current custodian.

As used herein, the term "document" means writings, (handwritten, typed, or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, correspondence, offers, contracts, agreements, manifests, licenses, permits, bids, proposals, policies of insurance, logs, minutes of meetings, memoranda, notes, calendar or diary entries, charts, maps, photographs, drawings, manuals, reports of analysis, analytical worksheets, chromatographs, studies, reports of scientific study or investigation, telegrams, teletypes, magnetic tapes, punch cards, recording disks, computer printouts or other data compilations from which information can be obtained or translated.

Your response to this request must be sent to EPA within 30 calendar days after the receipt of this letter. Failure to comply with this request may result in an order requiring compliance or a civil action for appropriate relief. Failure to respond could subject you to administrative and civil penalties. Should the signatory find, at any time after submittal of the requested information, that any portion of the submission is false or incorrect, the signatory should notify EPA Region VI. If any answer is found subsequently to be untrue, the signatory can be prosecuted under 18 U.S.C. 1001.

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EPA regulations governing confidentiality of business information are set forth in Part 2, Subpart B of Title 40 of the Code of Federal Regulations. For any portion of the information submitted which is entitled to confidential treatment, you may assert a confidentiality claim in accordance with 40 CFR §2.203(b). If EPA determines that the information so designated meets the criteria set forth in 40 CFR §2.208, the information will be disclosed only to the extent, and by means of the procedures, specified in 40 CFR Part 2, Subpart B. EPA will construe the failure to furnish a confidentiality claim with your response to this letter as a waiver of that claim, and information may be made available to the public by EPA without further notice.

This letter is not subject to the approval requirements of the Paperwork Reduction Act of 1980, Chapter 35, of Title 44, United States Code.

If you have any questions regarding this request, please contact:

Lou Barinka (6H-EE)
U.S. Environmental Protection Agency
1201 Elm Street
Dallas, Texas 75270
Phone: (214) 767-9810

Please direct your response to Mr. Barinka's attention.

Sincerely yours,

Allyn H. Davis
Director
Hazardous Waste Management Division

cc: Phyllis Garnett
Arkansas Department of Pollution
Control and Ecology

bcc: Greenfield, 6C
Wright, WH-527
Cox, LE-134S
Taylor, 6H-CE

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